

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-10. (Cancelled).

11. (New) A code division multiple access transmitting apparatus comprising:

a plurality of spreading sections that perform spreading processing separately for a retransmission signal using different spreading codes;

a control section that detects a number of retransmissions for the retransmission signal and determines a degree of multiplexing obtained by the plurality of spreading sections based on the detected number of retransmissions;

a multiplexing section that multiplexes the retransmission signals spread by the plurality of spreading sections based on the determined degree of multiplexing; and

a transmitting section that transmits the multiplexed retransmission signal.

12. (New) The code division multiple access transmitting apparatus according to claim 11, wherein the control section

decreases the degree of multiplexing for signals other than the retransmission signal multiplexed with the multiplexed retransmission signal as the number of retransmissions increases.